

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NADIR BAPTISTE,

Plaintiffs,

vs.

LT. T. BARBER, et al.,

Defendant.

Civil Action No. 03-6084 (KSH)

ORDER

KATHARINE S. HAYDEN, U.S.D.J.

This matter having come before the Court on the named defendants' motions for summary judgment; the Court having considered the papers submitted by the parties and having heard oral argument in the presence of plaintiff via teleconference on March 22, 2006; on that date, the Court having rendered an oral opinion granting defendants' motions; and good cause appearing,

IT IS on this 28th day of March, 2006 hereby

ORDERED that defendants' motions for summary judgment (documents #52, 54, 56, 57, 58, 73) are **granted**; and it is further

ORDERED that the complaint is dismissed, defendant having failed to file and serve and Amended Complaint within the time provided by prior Order.

/s/ Katharine S. Hayden

KATHARINE S. HAYDEN, USDJ